

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6420**

**BILL NUMBER:** HB 1316

**NOTE PREPARED:** Dec 19, 2002

**BILL AMENDED:**

**SUBJECT:** Mandatory Premarital Blood Testing.

**FIRST AUTHOR:** Rep. Kruse

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires an individual who intends to marry to have blood tests for certain sexually transmitted dangerous communicable diseases, including human immunodeficiency virus (HIV). The bill provides that the test results are confidential. (Current law provides for optional HIV testing before obtaining a marriage license.)

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:** *Summary:* Potentially, HIV and Hepatitis B testing and the required physician costs may be covered by private health insurance, Medicaid, Medicare, or the costs may be borne privately. If a large number of marriage license applicants used the State Department of Health's free HIV Counseling and Testing sites, the volume increase could stretch the resources available for testing persons who have reason to believe they may be at risk.

*Background:* Currently, women applicants under the age of 50 must provide a signed physician's statement as proof that they have been tested (or vaccinated) for rubella. This bill requires both individuals applying for a marriage license to have blood tests performed for HIV and Hepatitis B. The table below shows the number of marriage licenses issued for a three-year period and the number of individuals who would be required to be tested and present a physician's statement attesting to the performance of the testing:

<b>Year</b>	<b>Marriage Licenses</b>	<b>Individuals</b>
1998	47,254	94,508
1999	48,373	96,746
2000	47,587	95,174

The State Department of Health provides HIV counseling and testing either free of charge or for a nominal fee at 123 HIV counseling and testing (CT) sites throughout the state. Of the 94 local county health departments, 35 are participants in this program. The Centers for Disease Control (CDC) provides the \$711,000 federal grant funding that pays for these services. Testing volume for the Counseling and Testing sites and the reported number of positive cases of Hepatitis B are shown in the table below:

<b>Year</b>	<b>HIV testing Volume @ CT Sites</b>	<b>Hepatitis B Cases Reported</b>
1998	24,348	101
1999	24,956	77
2000	23,441	92

Approximately 25% of the HIV testing is done on an anonymous basis which makes medical follow-up unavailable to the individual. This bill would require the testing results of marriage license applicants be reported to a physician who would then attest that the requirement had been fulfilled. The additional testing requirement would necessitate a change in the form that the Department currently uses for women under the age of 50 who are applying for a marriage license. The form may not indicate the results of the testing; only that it was performed.

HIV testing costs approximately \$12.50 for the initial screening test. If there is a positive response to the screening test, an additional test is required to confirm the diagnosis. The Western Blot test costs \$123.07 and the state pays approximately \$50.00.

Hepatitis B testing costs \$1.75. If there is a positive result, the test is run two more times before Hepatitis B is confirmed. The test cost represents only the cost of running the laboratory test; it does not include the cost of collecting the required sample. Unlike HIV, there is a vaccine available for Hepatitis B. Indiana school children are currently required to be vaccinated for Hepatitis B prior to starting school. Potentially, vaccinated individuals could avoid the testing cost by providing proof of vaccination.

Marriage license applicants would have access to the HIV Counseling and Testing sites. Potentially, testing and physician costs could be covered by private health insurance, Medicaid, Medicare, or the costs may be borne privately. If all the marriage license applicants used the CT sites, the volume increase could overwhelm the resources available for testing persons who have reason to believe they may be at risk.

#### **Explanation of State Revenues:**

**Explanation of Local Expenditures:** This bill would require county clerks to verify that the required blood

testing was performed by both applicants for a marriage license. This would increase the filing requirements for the clerks.

**Explanation of Local Revenues:**

**State Agencies Affected:** State Department of Health, Office of Medicaid Policy and Planning.

**Local Agencies Affected:** County clerks and local health departments participating in the HIV CT testing program.

**Information Sources:** Zach Cattell, Legislative Liaison for the State Department of Health, (317) 233-2170. State Department of Health Web site; [www.in.gov/isdh/dataandstats/disease/1999/hiv.htm](http://www.in.gov/isdh/dataandstats/disease/1999/hiv.htm) .

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